IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

MASS ENGINEERED DESIGN, INC.; and JERRY MOSCOVITCH	§ §	
	§	
Plaintiff,	§	CAUSE NO. 2:09-cv-00358
,	§	0110221101 2 100 0 1 00000
V.	§	
	§	
9X MEDIA, INC.; PLANAR SYSTEMS, INC.;	§	JURY TRIAL DEMANDED
ATDEC PTY LTD; ERGOTECH GROUP, INC.;	§	
HUMAN SCALE CORPORATION;	§	
INNOVATIVE OFFICE PRODUCTS, INC.;	§	
NAPLES TECHNOLOGY, INC.;	§	
WORKRITE ERGONOMICS, INC.;	§	
KNOLL, INC.; SPACECO BUSINESS	§	
SOLUTIONS, INC.; PFG VENTURES, LP	§	
d/b/a PROFORMA AMERICAN FILING	§	
SOLUTIONS; CUSTOM PRODUCTS	§	
AND SERVICES, INC.; E-FILLIATE, INC.	§	
d/b/a ZIOTEK; PROGRESSIVE MARKETING	§	
PRODUCTS, INC. d/b/a PREMIER MOUNTS;	§	
AFC INDUSTRIES, INC.; ESI ERGONOMIC	§	
SOLUTIONS, L.L.C.; MEDIA MOUNTS, INC.;	§	
EIZO NANAO TECHNOLOGIES, INC.;	§	
HERMAN MILLER, INC.;	§	
WALL STREET TRADING DESKS, INC.;	§	
SALLAS INDUSTRIAL COMPANY, LTD.;	§	
GRAND STANDS, INC.; ERGONOMIC	§	
ACCESSORIES INTERNATIONAL	§	
CORPORATION; TARGUS, INC.;	§	
K AND A MANUFACTURING, INC. d/b/a	§	
RIGHT ANGLE PRODUCTS; ERGOTECT	§	
CORPORATION d/b/a ERGOMART.COM;	§	
VARTECH SYSTEMS, INC.;	§ §	
WOODTRONICS, INC.;		
SBFI NORTH AMERICA; and	§	

Defendants.

SYNNEX CORPORATION

JOINT MOTION TO DISMISS DEFENDANT VARTECH SYSTEMS, INC.

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff Mass

Engineered Design, Inc. et al. ("MASS") and Defendant Vartech Systems, Inc. ("Vartech")

hereby move the Court for an Order dismissing all claims asserted by MASS against Defendant

Vartech in this action WITHOUT PREJUDICE, with each party to bear its own costs, expenses,

and attorney fees.

DATED: March 4, 2010

Respectfully submitted,

/s/ Stephen F. Schlather_

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on March 4, 2010. Any other counsel of record will be served by first class U.S. mail.

/s/Stephen F. Schlather_

Stephen F. Schlather

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